



Doc Code: AP.PRE.REQ

PTO/SB/33 (07-05)

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## PRE-APPEAL BRIEF REQUEST FOR REVIEW

Docket Number (Optional)

P7876X

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on August 8, 2008

Signature /Christine Hartness/

Typed or printed name Christine Hartness

Application Number

09/626,535

Filed

07-27-2000

First Named Inventor

Donald Hooper

Art Unit

2155

Examiner

David Y. Eng

Applicant requests review of the final rejection in the above-identified application. No amendments are being filed with this request.

This request is being filed with a notice of appeal.

The review is requested for the reason(s) stated on the attached sheet(s).

Note: No more than five (5) pages may be provided.

I am the

☐ applicant/inventor.

☐ assignee of record of the entire interest.  
See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed.  
(Form PTO/SB/96)

☒ attorney or agent of record.  
Registration number 44,133

☐ attorney or agent acting under 37 CFR 1.34.  
Registration number if acting under 37 CFR 1.34 \_\_\_\_\_

/Robert A. Greenberg/

Signature

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Typed or printed name

978-553-2060

Telephone number

August 8, 2008

Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below\*.

☒ \*Total of 1 forms are submitted.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

incoming block of data within the network packet ... prior to" a "first thread completing processing of the first incoming block of data". The Final Office Action does not identify what in Kahle and/or Belkin describes a second thread processing the second incoming block of data within the network packet prior to the first thread completing processing of the first incoming block of data. Thus, the Examiner's rejection has omitted essential elements needed for a prima facie rejection.

Claim 7 recites a "first portion of" a "network packet" and "a second portion of the network packet". The Final Office Action does not identify what in Kahle and/or Belkin is being equated with the first and second portions of the network packet. Additionally, claim 7 recites "processing" the "first portion of the network packet" and "simultaneously processing the second portion". The Final Office Action does not identify what in Kahle and/or Belkin describes the recited simultaneous processing of the portions of the network packet. Thus, the Examiner's rejection has omitted essential elements needed for a prima facie rejection.

Finally, Claim 15 recites instructions to "process a first portion of a data packet using a first thread" and "process a second portion of the data packet using a second thread ... wherein there is no time sharing between the first and second thread". The Final Office Action (or the Office Action of 08/30/07) did not address the recited limitations. Thus, the Examiner's rejection has omitted essential elements needed for a prima facie rejection.

For at least the reasons above, Attorney for Applicant respectfully requests  
withdrawal of the rejections.

Respectfully submitted,

Dated: 08/08/08

/Robert A. Greenberg/

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